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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/387,534	08/31/1999	FELIKS DUJMENOVIC	0100.9901020	2713

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EXAMINER	
SHANG, ANNAN Q	
ART UNIT	**PAPER NUMBER**
2614	10

DATE MAILED: 03/26/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	09/387,534	DUJMENOVIC ET AL.	
	Examiner	Art Unit	
	Annan Q Shang	2614	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *21 January 2003* .

2a)☒ This action is **FINAL**. 2b)☐ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-12* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-12* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

11)☐ The proposed drawing correction filed on _____ is: a)☐ approved b)☐ disapproved by the Examiner.

If approved, corrected drawings are required in reply to this Office action.

12)☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

13)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____ .

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

14)☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).

a) ☐ The translation of the foreign language provisional application has been received.

15)☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____ .
4) ☐ Interview Summary (PTO-413) Paper No(s). _____ .
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: .

DETAILED ACTION

Claim Rejections - 35 USC § 103

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

2. Claims 1-12 are rejected under 35 U.S.C. 103(a) as being unpatentable over **Miyazaki et al (6,441,863)** in view of **Heigl et al (5,122,878).**

As to claim 1, note the **Miyazaki et al** reference Figures 9, 10 and 11, which discloses an image processing apparatus, image processing method and television receiver, a method for tuning a system. The claim method comprising...is met as follows: the television receiver, note Figure 9, tunes to a first frequency, note tuner 5, and receives a first field of video associated with the first frequency, the receiver tunes to a second frequency, tuner 6 and receives a second field of video associated with the second frequency, where the first field of video and the second field of video are adjacent in time and displayed simultaneously, note Figures 10, 11, col. 9, lines 13-20 and col. 15, line 66-col. 16, line 14. But fails to specifically teach a video tuner. However, note **Heigl et al** reference figure 1, discloses a television tuner having a joint antenna connection 1, for two frequency ranges sweeping the frequencies from VHF band to I and up to and including the hyper band, a pre-circuit filter, a preamplifier circuit dimensioned for two frequency ranges, and two independent band-pass filters

dimensioned for low and high frequency range respectively and a subsequent mixer stage and intermediate frequency circuit, note col. 4, lines 17-64.

Therefore the examiner submits it would have been clearly obvious to one of ordinary skill in the art at the time of the invention to incorporate the teaching of Heigl into the system of Miyazaki in order minimized the number of components and also provide a small space for tuner housing.

As to claim 2, Miyazaki and Heigl fail to specifically teach tuning a video tuner to a second frequency during a vertical blanking interval. However, the examiner submits it is know in the field of displaying images in an interlaced display device that information transfer, such as text message, closed caption, etc., is transmitted or transferred to a display device during the vertical blanking interval in order not to disrupt the each field of a frame.

Therefore the examiner submits it would have been clearly obvious to one of ordinary skill in the art at the time of the invention to incorporate such well know teaching to tune a tuner to a second frequency during a vertical blanking interval in order not to interfere with each field of the a frame since no imaging occurs during the vertical blanking intervals.

As to claim 3, the claimed "second frequency indicator..." is inherent to the system controller 10, which is provided to the receiver prior to the step of tuning the receiver to a second frequency, note col. 9, lines 61-64. But fails to specifically teach a video tuner. However, note Heigl et al reference figure 1, discloses a television tuner having a joint antenna connection 1, for two frequency ranges, sweeping the

frequencies from VHF band to I and up to and including the hyper band, note col. 4, lines 17-64.

Therefore the examiner submits it would have been clearly obvious to one of ordinary skill in the art at the time of the invention to incorporate the teaching of Heigl into the system of Miyazaki in order minimized the number of components and also provide a small space for tuner housing.

As to claim 4, Miyazaki and Heigl inherently teach a method where the step of providing includes providing the second frequency indicator in less than approximately 1.2 milliseconds.

As to claim 5, Miyazaki discloses a method comprising the steps of displaying the first field, tuning the receiver to the first frequency after the step of receiving the second field, receiving a third field associated with the first frequency, displaying the third field, where the first field and the third field are adjacent frames of a common video image. note col. 9, line 20-col. 10, line 2 and col. 13, lines 20-65, switches 3 and 4 toggles between the tuners 5 and 6 of the receiver and stores and read fields of video, in field memories 131 and 132, and display simultaneously, two full motion video. But fails to specifically teach a video tuner. However, note **Heigl et al** reference figure 1, discloses a television tuner having a joint antenna connection 1, for two frequency ranges sweeping the frequencies from VHF band to I and up to and including the hyper band, a pre-circuit filter, a preamplifier circuit dimensioned for two frequency ranges, and two independent band-pass filters dimensioned for low and high frequency range

respectively and a subsequent mixer stage and intermediate frequency circuit, note col. 4, lines 17-64.

Therefore the examiner submits it would have been clearly obvious to one of ordinary skill in the art at the time of the invention to incorporate the teaching of Heigl into the system of Miyazaki in order minimized the number of components and also provide a small space for tuner housing.

As claim 6, Miyazaki discloses a method where the first and second fields of video are adjacent when no fields of video are transmitted at the second frequency after a last data of the first field of video and before the first data of the second field of video, note col. 15, lines 3-42.

Claim 7 is met as previously discussed with respect to Claim 2.

As to claim 8, note the Miyazaki et al reference Figures 9, 10 and 11, further discloses a method of providing video. The claim method comprising...is met as follows: the television receiver, note Figure 9, is tune to a first frequency, note tuner 5, and receives a first field of video associated with the first frequency, the receiver is tune to a second frequency, tuner 6 and receives a second field of video associated with the second frequency, where the first field of video and the second field of video are adjacent in time, displayed simultaneously, note Figures 10, 11, col. 9, lines 13-20 and col. 15, line 66-col. 16, line 14, tuning the receiver to the first frequency, receiving a third field of video associated with the first frequency, displaying an image based upon the first location of the display device, displaying an image based upon the second field at a second location of the display device, where the first location and the second location

are substantially mutually exclusive and the displaying an image based upon the third field at the first location of the display device to provide a full motion video sequence, note col. 9, line 20-col. 10, line 2 and col. 13, lines 20-65, switches 3 and 4 toggles between the tuners 5 and 6 of the receiver and stores and read fields of video, in field memories 131 and 132, and display simultaneously, two full motion video. But fails to specifically teach a video tuner. However, note **Heigl et al** reference figure 1, discloses a television tuner having a joint antenna connection 1, for two frequency ranges sweeping the frequencies from VHF band to I and up to and including the hyper band, a pre-circuit filter, a preamplifier circuit dimensioned for two frequency ranges, and two independent band-pass filters dimensioned for low and high frequency range respectively and a subsequent mixer stage and intermediate frequency circuit, note col. 4, lines 17-64.

Therefore the examiner submits it would have been clearly obvious to one of ordinary skill in the art at the time of the invention to incorporate the teaching of Heigl into the system of Miyazaki in order minimized the number of components and also provide a small space for tuner housing.

As to claim 9, note the Miyazaki et al reference Figure 9, discloses a method of displaying video. The television receiver, note Figure 9, alternates reception of a first field set and second field set where the first field set is associated with a first frequency and the second field set is associated with a second frequency, and simultaneously displaying the first field set and the second field set as full motion video, note col. 9, line 20-col. 10, line 2 and col. 13, lines 20-65, switches 3 and 4 toggles between the tuners

5 and 6 of the receiver and stores and read fields of video, in field memories 131 and 132, and display simultaneously, two full motion video. But fails to specifically teach a video tuner. However, note **Heigl et al** reference figure 1, discloses a television tuner having a joint antenna connection 1, for two frequency ranges, sweeping the frequencies from VHF band to I and up to and including the hyper band, note col. 4, lines 17-64.

Therefore the examiner submits it would have been clearly obvious to one of ordinary skill in the art at the time of the invention to incorporate the teaching of Heigl into the system of Miyazaki in order minimized the number of components and also provide a small space for tuner housing.

As to claim 10, Miyazaki inherently teaches a method where the step of alternating includes alternating reception of a first field set and a second field set at the common receiver in approximately 1.2 milliseconds. But fails to specifically teach a video tuner. However, note **Heigl et al** reference figure 1, discloses a television tuner having a joint antenna connection 1, for two frequency ranges, sweeping the frequencies from VHF band to I and up to and including the hyper band and inherently teach sweeping frequencies in approximately 1.2 milliseconds, note col. 4, lines 17-64.

Therefore the examiner submits it would have been clearly obvious to one of ordinary skill in the art at the time of the invention to incorporate the teaching of Heigl into the system of Miyazaki in order minimized the number of components and also provide a small space for tuner housing.

As to claim 11, Miyazaki further discloses a method where the step of simultaneously displaying includes simultaneously displaying the first field set and the second field set as full motion video on a single display device, note col. 9, lines 13-29 and col. 13, lines 20-65.

As to claim 12, Miyazaki fails to specifically teach simultaneously displaying the first field set and the second field set as full motion video on different display devices. However simultaneously displaying the first field set and the second field set as full motion video on a different display devices is notoriously well-know when receiving different frequencies to permit a second viewer to watch the other channel on another display device.

Therefore the examiner submits that it would have been obvious to one of ordinary skill in the art at the time of the invention to implement the Miyazaki teaching with such well-know teaching in order to permit another viewer to watch the other full motion video on another display device.

Response to Arguments

3. Applicant's argument with respect to the amendment claims 1-12 has been considered but are moot in view of new ground(s) of rejections discussed above. Applicant amended the claims to read a tuner instead of a receiver as a result necessitated the new grounds of rejection. This Office Action is made Final.

Conclusion

4. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Saiki et al (6,388,713) disclose an image display apparatus, and method to prevent or limit user adjustment of displayed image quality.

5. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Annan Q Shang whose telephone number is 703-305-2156. The examiner can normally be reached on 700am-500pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John W Miller can be reached on 703-305-4795. The fax phone numbers for the organization where this application or proceeding is assigned are 703-746-5991 for regular communications and 703-746-5991 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the customer service whose telephone number is 703-306-0377.

Annan Q. Shang
March 18, 2003

JOHN MILLER
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2600